IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE A.K.BASHEER

THURSDAY, THE 26TH JULY 2007 / 4TH SRAVANA 1929

WP(C).No. 7510 of 2007(R)

PETITIONER:

LETHI N.T., AGED 37 YEARS,
NELLISSERY HOUSE, KALPARAMBA, ARIPALAM P.O.,
VIA IRINJALAKUDA, THRISSUR DISTRICT.

BY ADV. SRI.P.K.JOSE
SMT.TESSY JOSE

RESPONDENTS:

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1. THE KERALA PUBLIC SERVICE COMMISSION,
PATTOM PALACE, THIRUVANANTHAPURAM, REP. BY
THE SECRETARY.

2. STATE OF KERALA, REP. BY
THE CHIEF SECRETARY TO GOVERNMENT,
SECRETARIAT, THIRUVANANTHAPURAM P.O.

BY GOVERNMENT PLEADER SRI.A.J.VARGHESE
SRI.P.C.SASIDHARAN, SC.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 26/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

A.K.BASHEER, J.

W.P.(C)No.7510 OF 2007

Dated this the 26th day of July, 2007

JUDGMENT

Petitioner is a Post Graduate in Physical Education. She has also passed M.Phil. examination conducted by the University Grants Commission. According to the petitioner, she belongs to Latin Catholic community. But apparently in her school records her community was shown as Parava Christian.

2. In response to a notification issued by the Kerala Public Service Commission, petitioner had applied to the post of Physical Education Lecturer. She had participated in the written examination and was also interviewed later. The case of the petitioner is that she had performed well in the test. However, when she enquired in the office of the Commission she was informed that her candidature had not been considered in the category of Latin Catholic community.

3. In the counter affidavit, it is contended by the Commission that petitioner had not claimed the benefit of

communal reservation though she claims that belongs to Latin Catholic community. In fact in her application she marked code '101' which relates to 'non reservation group'. It is also averred in the counter affidavit that petitioner had not produced any document along with the application to substantiate her contention that she belongs to Latin Catholic community. Parava Christian community is treated for reservation purpose as OX (Other Christian) which is entitled to only 1% reservation.

4. Having heard learned counsel for the parties and having perused the materials on record, I am afraid that petitioner has missed the bus. Nothing can be done at this belated stage.

The writ petition fails and it is accordingly dismissed.

A.K.BASHEER, JUDGE

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